

United States District Court
Southern District of Indiana

Laura A. Briggs
Clerk of the Court

105 U.S. Courthouse
46 East Ohio Street
Indianapolis, Indiana
46204

210 Federal Building
Terre Haute, Indiana
47808

101 Northwest MLK Boulevard
Evansville, Indiana
47708

121 West Spring Street
New Albany, Indiana
47150

August 29, 2005

Matthew J. Dykman
United States Courthouse
421 Gold S.W.
Albuquerque, NM 87102

FILED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

SEP 02 2005

MATTHEW J. DYKMAN
CLERK

Dear Sir:

RE: United States of America

-v-

Greg Hill

Cause No.: CR05-1849 *JH*

Our Cause No.: IP05-342M-01

The above named defendant is ordered removed to your district by the United States District Court, Southern District of Indiana, Indianapolis Division.

Enclosed please find certified copies of the entire file along with a certified copy of the docket sheet.

Please acknowledge receipt on the copy of this letter.

Very truly yours,

Laura A. Briggs, Clerk

By:

Shawn Miller
Deputy Clerk

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REPORT OF PROCEEDINGS BEFORE UNITED STATES MAGISTRATE

MAGISTRATE CAUSE NUMBER: IP 05-342M-01

CAUSE NUMBER:

At Indianapolis, IN on 8/25/05 @ 2:30 pm

Proceedings in United States vs. GREG HILL

Appeared in the custody of a Federal Officer ☒ Appeared voluntarily ☐

Description: Age Sex M Race W Born: Native ☐ Foreign ☐

Address _____

Name of complainant and title (if any) _____

Date of Indictment 8/23/05

Offense charged MARIJUANA Date of offense 2002-2005

Where committed SDIN Date of Warrant 8/23/05

Date of hearing 8/25/05 @ 2:30 pm Examination waived

Bail fixed at \$ None

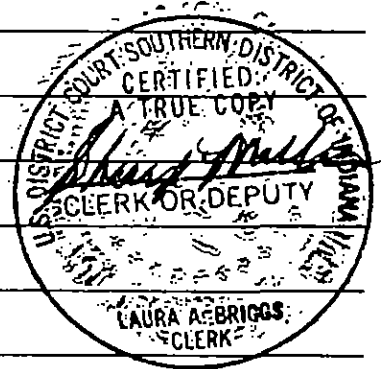
Released Released O/R

Committed to_____

Discharged (date) _____

Name and address of surety_____

Names and residences of witnesses _____



DUSM: Barfield

Remarks Deft appeared in person and with retained counsel Kathleen Sweeney for an initial appearance on Rule 5c hearing out of the District of New Mexico (CR05-1849) on an Indictment. Govt was represented by Cynthia Ridgeway and USPO by Thomas Parker. Charges, Rights, and Penalties were read and explained. Deft waived identity hearing. Deft waived formal arraignment. Deft released on own recognizance pending initial appearance on the Indictment in Federal Court, District of New Mexico, Sept 1, 2005 at 9:30 am.

V. Sue Shields, United States Magistrate Judge

OFFENSE	DIST	OFF	CUST	W	J	A	FILEDATE	NO.DEFS	MAG CASE NO	COUNTY	JUDGE	MAG.
	0756	1	BOND	N	N	N	08 25 05	0	05-0342M-01			

Defendant: HILL, GREG
SS#:

DOB:

No address available.

Aliases: None

I. CHARGES

No charges were found for this defendant.

II. KEY DATES

Key Date 1 :	Earliest of:
Key Date 2 :	Applicable :
Key Date 3a:	Applicable :
Key Date 3b:	Applicable :
Key Date 4 :	Applicable :

Closed Date: 08/29/05

ATTORNEYS

U. S. Attorney or Asst.

CYNTHIA RIDGEWAY

Defense at filing: (2) Retained

KATHLEEN M SWEENEY
SWEENEY & URSULSKIS
POST OFFICE BOX 40295
INDIANAPOLIS IN 46240
(317) 251-4396 Fax: (317) 251-4633



DATE	NR.	PROCEEDINGS
08/25/05	1	COURTROOM MINUTES of a Rule 5(c) hearing on an indictment out of the District of New Mexico (CR05-1849) eod 08/29/05 [SWM]
08/25/05	=	DEFT APPEARS IN PERSON AND w/retained counsel Kathleen Sweeney eod 08/29/05 [SWM]
08/25/05	=	APPEARANCE FOR THE USA BY AUSA Cynthia Ridgeway eod 08/29/05 [SWM]
08/25/05	=	USPO Represented by Thomas Parker eod 08/29/05 [SWM]
08/25/05	=	CHARGES & RIGHTS and Penalties were read and explained eod 08/29/05 [SWM]
08/25/05	=	Deft waived identity hearing. Deft waived formal arraignment eod 08/29/05 [SWM]
08/25/05	=	RELEASED ON OWN RECOGNIZANCE W/PERSONAL SURETY pending initial appearance on the indictment in Federal Court, District of New Mexico, Sept 1, 2005 at 9:30 a.m. eod 08/29/05 [SWM]
08/25/05	2	RULE 40 OUT to District of New Mexico (CR05-1849) eod 08/29/05 [SWM]
DELETED	***	APPEARANCE FOR THE USA BY AUSA Kathleen M Sweeny on behalf of DEFT c/s eod 08/29/05 [SWM] Deleted: Wrong prompt 08/29/05 [SWM]
08/25/05	4	APPEARANCE - RET Kathleen Sweeney on behalf of DEFT eod 08/29/05 [SWM]
08/25/05	5	WAIVER of Rule 5 & 5.1 Hearings signed by Deft and Defense Counsel eod 08/29/05 [SWM]

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

FILED

AUG 25 2005

U.S. MAGISTRATE JUDGE
INDIANAPOLIS, INDIANA

UNITED STATES,

Plaintiff,

v.

GREGORY HILL,

Defendant.

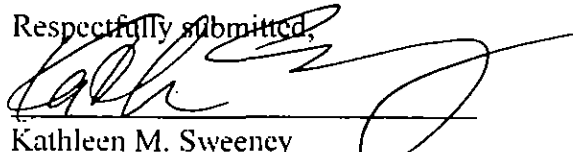
)
)
)
)
) CAUSE NO: IP05-342M-01
)
)
)
)
)
)

APPEARANCE

Kathleen M. Sweeney enters her appearance as attorney of record for Defendant Gregory Hill in the above-captioned matter.



Respectfully submitted,

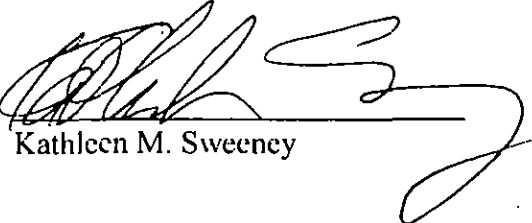

Kathleen M. Sweeney
Attorney for Gregory Hill

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CERTIFICATE OF SERVICE

A copy of the foregoing was served on counsel of record on August 25, 2005 by hand-delivery to assigned Assistant United States Attorney:

U.S. Attorney's Office
10 W. Market Street, Suite 2100
Indianapolis In 46204


Kathleen M. Sweeney

155 E. Market Street, Suite 400
Indianapolis, Indiana 46204
Telephone: 317.632.9411
Facsimile: 317.236.0484
ksween@gmail.com



AUG 25 2005

UNITED STATES DISTRICT COURT

U.S. DISTRICT COURT
INDIANAPOLIS, INDIANA

SOUTHERN

DISTRICT OF

INDIANA

UNITED STATES OF AMERICA

WAIVER OF RULE 5 & 5.1 HEARINGS

(Complaint/Indictment)

V.

GREG HILL

Defendant

CASE NUMBER: IP 05-342M-01

CHARGING DISTRICTS
CASE NUMBER: CR 05-1849

I understand that charges are pending in the _____ District of _____ NEW MEXICO
alleging violation of conspiracy to distribute 1000 kilograms and and that I have been arrested in this district and
(Title and Section)

taken before a judge, who has informed me of the charge(s) and my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) a preliminary hearing (unless an indictment has been returned or information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and
- (4) Request transfer of the proceedings to this district under Rule 20, Fed. R. Crim. P., in order to plead guilty.

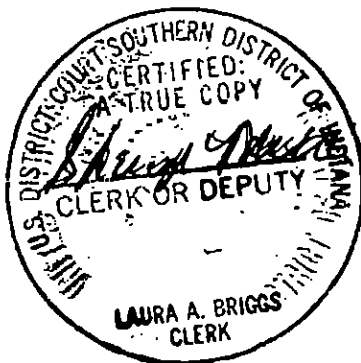
I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

- (☒) identity hearing
- (☐) preliminary hearing
- (☐) identity hearing but request a preliminary hearing be held in the prosecuting district and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

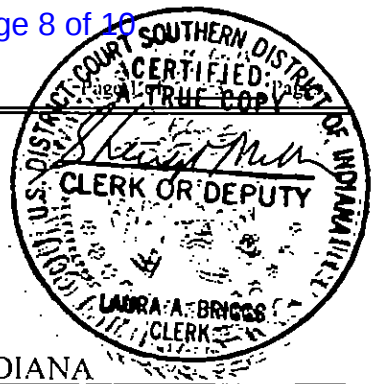
8/25/05
Date

Defendant

Defense Counsel



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UNITED STATES DISTRICT COURT

SOUTHERN

District of

INDIANA

United States of America

V.

ORDER SETTING CONDITIONS
OF RELEASE

GREG HILL

Case Number: IP 05-0342M-01

Defendant

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall immediately advise the court, defense counsel and the U.S. attorney in writing before any change in address and telephone number.
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall appear at (if blank, to be notified) Fed. Courthouse, 333 Lomas Blvd. NW, Gila Court
Place
Rm. , 5th Fl., Albuquerque, NM on 9/1/05 @ 9:30 (505-348-2050)
Date and Time

Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that:

- (☒) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
- (☐) (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of _____ dollars (\$ _____) in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

Additional Conditions of Release

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community.

IT IS FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

() (6) The defendant is placed in the custody of:

(Name of person or organization) _____

(Address) _____

(City and state) _____

(Tel. No.) _____

who agrees (a) to supervise the defendant in accordance with all the conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Signed: _____

Custodian or Proxy

Date

(X) (7) The defendant shall:

(X) (a) report to the PRETRIAL SERVICES AGENCY

telephone number _____, not later than AS THEY INSTRUCT

() (b) execute a bond or an agreement to forfeit upon failing to appear as required the following sum of money or designated property:

() (c) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described

() (d) execute a bail bond with solvent sureties in the amount of \$ _____

(X) (e) maintain or actively seek employment.

() (f) maintain or commence an education program.

(X) (g) surrender any passport to: PRETRIAL SERVICES AGENCY

(X) (h) obtain no passport.

(X) (i) abide by the following restrictions on personal association, place of abode, or travel:

RESTRICTED TO THE SD/Indiana and D/New Mexico UNLESS PRE-APPROVED BY PRETRIAL SERVICES AGENCY

(X) (j) avoid all contact, directly or indirectly, with any persons who are or who may become a victim or potential witness in the subject investigation or

prosecution, including but not limited to: ANY CODEFENDANTS OR POTENTIAL CODEFENDANTS - IF RELATED DO NOT DISCUSS CASE

() (k) undergo medical or psychiatric treatment and/or remain in an institution as follows: _____

() (l) return to custody each (week) day as of _____ o'clock after being released each (week) day as of _____ o'clock for employment, schooling, or the following limited purpose(s): _____

() (m) maintain residence at a halfway house or community corrections center, as deemed necessary by the pretrial services office or supervising officer.

(X) (n) refrain from possessing a firearm, destructive device, or other dangerous weapons

(X) (o) refrain from () any (X) excessive use of alcohol.

(X) (p) refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

(X) (q) submit to any method of testing required by the pretrial services office or the supervising officer for determining whether the defendant is using a prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing.

() (r) participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the pretrial services office or supervising officer.

(X) (s) refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing or electronic monitoring which is ~~()~~ required as a condition(s) of release.

(X) (t) participate in one of the following home confinement program components and abide by all the requirements of the program which () will ~~be~~ ~~() will not~~ include electronic monitoring or other location verification system. You shall pay all or part of the cost of the program based upon your ability to pay as determined by the pretrial services office or supervising officer.

() (i) Curfew. You are restricted to your residence every day () from _____ to _____, or () as directed by the pretrial services office or supervising officer; or

(X) (ii) Home Detention. You are restricted to your residence at all times except for employment; ~~education~~; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances, court-ordered obligations, or other activities as pre-approved by the pretrial services office or supervising officer; or

() (iii) Home Incarceration. You are restricted to your residence at all times except for medical needs or treatment, religious services, and court appearances pre-approved by the pretrial services office or supervising officer.

(X) (u) report as soon as possible, to the pretrial services office or supervising officer any contact with any law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop.

(X) (v) REPORT ON A REGULAR BASIS TO THE SUPERVISING OFFICER AS THEY INSTRUCT

(X) (w) DEFT. IS SUBJECT TO RANDOM SEARCHES OF HIS PERSON, RESIDENCE & PROPERTY BY U.S. PROBATION & PRETRIAL SERVICES OFFICERS AND/OR ANY LAW ENFORCEMENT OFFICERS ACCOMPANYING THEM

() (x) _____

Advice of Penalties and Sanctions

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

A violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, and a prosecution for contempt of court and could result in a term of imprisonment, a fine, or both.

The commission of a Federal offense while on pretrial release will result in an additional sentence of a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Federal law makes it a crime punishable by up to 10 years of imprisonment, and a \$250,000 fine or both to obstruct a criminal investigation. It is a crime punishable by up to ten years of imprisonment, and a \$250,000 fine or both to tamper with a witness, victim or informant; to retaliate or attempt to retaliate against a witness, victim or informant; or to intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

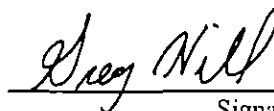
If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you shall be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, you shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, you shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be in addition to the sentence for any other offense. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.



Signature of Defendant

3906 E. Ramp Creek Rd.

Address

Bloomington IN

City and State

812-824-3900

Telephone

Directions to United States Marshal

- (X) The defendant is ORDERED released after processing.
 () The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: 8/25/05



Signature of Judicial Officer

V. SUE SHIELDS, U.S. MAGISTRATE JUDGE

Name and Title of Judicial Officer

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL